**1969. No. 195** **[C]**

# COUNTY COURTS

## County Court Rules (Amendment) Rules (Northern Ireland) 1969

RULES, DATED 11TH JULY 1969, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 146 OF THE COUNTY COURTS ACT (NORTHERN IRELAND) 1959.

I, the Right Honourable Robert Wilson Porter, Q.C., Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 146 of the County Courts Act (Northern Ireland) 1959(**a**) on the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice, do hereby make the Rules hereinafter set forth.

Dated this 11th day of July 1969.

*R. W. Porter,*
Minister of Home Affairs
for Northern Ireland.

*Citation*

**1.** These Rules shall be cited as the County Court (Amendment) Rules (Northern Ireland) 1969.

*Commencement*

**2.** These Rules shall come into operation on the 1st day of September 1969.

*Schedule of Amendments*

**3.** The provisions of the County Court Rules (Northern Ireland) 1965(**b**) to which reference is made in column 1 of the Schedule shall have effect subject to the amendments specified in column 2 thereof.

(**a**) 1959, c. 25. (**b**) S.R. & O. (N.I.) 1965, No. 261.

SCHEDULE

**Amendment of the County Court Rules (Northern Ireland) 1965**

| Provision amended | Amendment |
|---|---|
| Order 41: | After Rule 10 add the following Rule—<br><br>*"Administration of Estates: (Small payments to relatives)*<br>10A. Where the estate of a deceased person who has died intestate is entitled to money or securities in court not exceeding £500, and it is proved to the satisfaction of the judge that no administration has been taken out to the estate of the intestate, and that the estate does not exceed £500 in value including the amount of the money or securities in court, the judge may direct that such money or securities shall be paid or transferred to the person who, being widower, widow, child, father, mother, brother or sister of the intestate, would be entitled to take out administration to the estate." |
| Order 44: Rule 10 | In Rule 10 there shall be added the following paragraph—<br><br>"(2) Notwithstanding anything in paragraph (1) in an undefended action for damages the judge may direct that the plaintiff's costs shall be in accordance with Table 1 in Part I of Appendix ZL instead of Table 4 thereof and it shall always be within the judge's discretion to allow counsel." |
| Order 46: Rule 3 | In paragraph (2) of the Rule after the words "clerk of the Crown and peace" there shall be inserted the words "or registrar".<br><br>In paragraph (4) of the Rule after the words "may be authenticated" there shall be inserted the words "and any certificate required by these Rules may be given". |
| Appendix C: Form 3 | For Form 3 in the Appendix there shall be substituted the following Form—<br><br>"FORM 3<br><br>**Civil Bill Ejectment for Overholding [and Arrears of Rent]**<br><br>ORDER 5, RULE 1(1)<br><br>[*Title as in Form* 1]<br><br>The sittings at which this civil bill is intended to be dealt with will commence on the day of 19 and will be held at ; |